

## REMARKS

Reconsideration and allowance are respectfully requested in view of the following remarks.

Claims 1-7 are pending in the present application. By this amendment, claims 1-7 are amended. No new matter has been added.

### Objections to the Drawings

The drawings are objected under 37 C.F.R. § 1.83(a). Specifically, it is asserted that the auxiliary contact is not shown in an installed position in the drawings. In addition, it is asserted that the toothed switching means recited in claim 4 is not shown in the drawings.

With regard to the auxiliary contact, for clarification, claim 1 has been amended to clarify, *inter alia*, a first auxiliary contact position provided in the frame part and configured to receive an auxiliary contact when installed in the first auxiliary contact position; and a second auxiliary contact position provided near the first auxiliary contact position and configured to receive the auxiliary contact when installed in the second auxiliary contact position. An exemplary embodiment of subject matter according to claim 1 is sufficiently illustrated by showing a configuration that includes first and second auxiliary contact positions configured to receive an auxiliary contact. The auxiliary contact is not a positive element of the claim and need not be shown in an installed position. (However, Figs 1-4, collectively illustrate this feature.)

With regard to the toothed switching means, this feature is broadly illustrated and described in the application. However, claim 4 has been amended to remove the recitation "the toothed switching means."

In view of the foregoing, it is respectfully requested that the objections to the drawings be withdrawn.

**Claim Rejection Under 35 U.S.C. § 112**

Claims 1-7 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Specifically, it is asserted that it is not clear whether "an auxiliary contact" in claim 1 and "an auxiliary contact" in claim 2 are the same. In addition, it is asserted that the word "it" in claim 6 should be replaced with an element name.

Claim 1 has been amended for clarification to recite, *inter alia*, a first auxiliary contact position provided in the frame part and configured to receive an auxiliary contact when installed in the first auxiliary contact position; and a second auxiliary contact position provided near the first auxiliary contact position and configured to receive the auxiliary contact when installed in the second auxiliary contact position.

Claim 2 has been amended for clarification to recite, *inter alia*, a frame part, and the auxiliary contact configuration comprising a first auxiliary contact position provided in the frame part and configured to receive an auxiliary contact; and a movable auxiliary contact control device comprising a first control element arranged to control the auxiliary contact when installed in the first position, wherein the auxiliary contact configuration comprises a second auxiliary contact position provided near the first auxiliary contact position, and the auxiliary contact control device comprises a second control element arranged to control the auxiliary contact, when installed in the second position, in a manner different from a manner in which

the first control element is arranged to control the auxiliary contact when installed in the first position. Claim 4 has been amended in a manner similar to claim 2.

Claim 6 has been amended to replace "it" with the term "the auxiliary contact configuration."

It is respectfully requested that the rejection of claims 1-7 under 35 U.S.C. §112, second paragraph, be withdrawn.

### **Claim Rejections Under 35 U.S.C. § 102**

Claims 1, 3 and 5- 7 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Seymour et al. (U.S. Patent No. 4,485,134, hereinafter "Seymour").

According to exemplary embodiments of the presently claimed subject matter, the operation of an auxiliary contact depends on whether the auxiliary contact is installed in the first auxiliary contact position or in the second auxiliary contact position. For example, the operations of an auxiliary contact 8 installed in a first auxiliary contact position 5 of the auxiliary contact configuration, shown in FIGS. 3a to 3c, are different from the operations of an auxiliary contact 8 installed in a second auxiliary contact position 6, shown in FIGS. 4a to 4c.

Referring to FIGS. 3a to 3c, when the control device for the switching device is in a testing position T, a push button 16 of the auxiliary contact 8 installed in the first auxiliary contact position 5 is in its outer position, as shown in FIG. 3a. When the control device for the switching device is moved from the T-position to a 0-position, a slope 18 of a first control element 11 pushes the push button 16 of the auxiliary contact 8 inwards. When the control device for the switching device is in the 0-position, the push button 16 of the auxiliary contact 8 is in its inner position, as

shown in FIG. 3b. When the control device for the switching device is moved from the 0-position to an I-position, the push button 16 of the auxiliary contact 8 remains in its inner position. When the control device for the switching device is in the I-position, the push button 16 of the auxiliary contact 8 is in its inner position, as shown in FIG. 3c.

Referring to FIGS. 4a to 4c, when the control device for the switching device is in a testing position T, a push button 16 of an auxiliary contact 8 installed in the second auxiliary contact position 6 is in its outer position, as shown in FIG. 4a. When the control device for the switching device is moved from the T-position to a 0-position, a slope 20 of a second control element 12 pushes the push button 16 of the auxiliary contact 8 inwards. When the control device for the switching device is in the 0-position, the push button 16 of the auxiliary contact 8 is in its inner position, as shown in FIG. 4b. When the control device for the switching device is moved from the 0-position to an I-position, a slope 22 of the second control element 12 allows the push button 16 of the auxiliary contact 8 to protrude outwards. When the control device for the switching device is in the I-position, the push button 16 of the auxiliary contact 8 is in its outer position, as shown in FIG. 4c.

Referring to FIG. 1, the first and second auxiliary contact positions 5 and 6 are configured to receive an auxiliary contact 8, as illustrated in FIG. 3. In the particular example illustrated in FIG. 1, the first and second positions 5 and 6 overlap so as to allow the auxiliary contact 8 to be installed either in the first auxiliary contact position 5 or the second auxiliary contact position 6. See also specification: paragraph 0025. Applicant notes that the presently claimed subject matter is not limited to the embodiments described above.

The above-described features are broadly encompassed in claim 1, which recites, *inter alia*, a movable auxiliary contact control device that includes a first control element arranged to control the auxiliary contact when installed in the first auxiliary contact position, and a second control element arranged to control the auxiliary contact, when installed in the second auxiliary contact position, in a manner different from a manner in which the first control element is arranged to control the auxiliary contact when installed in the first auxiliary contact position.

The above-recited features are not taught or suggested in Seymour. Seymour discloses an auxiliary switch accessory module unit. Referring to FIG. 2 of Seymour, a subframe 23 is formed from a unitary metal plate and defines a U-shaped configuration, and as many as twelve microswitches 32 can be attached to the subframe 23. With the microswitches attached to the subframe, the buttons 33 microswitches 32 extending from the bottom of the microswitches 32, simultaneously contact and become depressed by the planar end 29 of the lever 25.

In Seymour, the control of the multiple microswitches 32, which allegedly correspond to the claimed auxiliary contacts, are identical. Seymour specifically discloses that the buttons of the microswitches 32 are pressed and released in the same manner. For example, an "up position" of the planar end 29 corresponds to a depressed position of the button 33 of the microswitches 32 regardless of where the microswitches are installed. A "down position" of the planar end 29 corresponds to an unpressed position of the buttons 33 of the microswitch 32 regardless of where the microswitches are installed. Nowhere in Seymour is there any teaching or suggestion on a movable auxiliary contact control device that includes a first control

element arranged to control the auxiliary contact when installed in the first auxiliary contact position, and a second control element arranged to control the auxiliary contact, when installed in the second auxiliary contact position, in a manner different from a manner in which the first control element is arranged to control the auxiliary contact when installed in the first auxiliary contact position, as recited in claim 1.

In view of the foregoing, claim 1 is patentable. Claims 3 and 5-6 are patentable at least because of their dependency from claim 1. Claim 7 is patentable at least because of its dependency from allowable claim 2.

With further regards to claims 3 and 7, the claims recite that the auxiliary contact control device is arranged to move substantially linearly.

In Seymour, the lever 25, which allegedly corresponds to the claimed contact control device, depicted in FIG. 2 of Seymour does not appear to be arranged to move substantially linearly. Referring to FIGS. 2 and 4, the pin 28 provides pivotal support to the lever 25. See also col. 2, lines 48 to 50. Therefore, the lever 25 is arranged to move pivotally. Nowhere in Seymour is there any teaching or suggestion that the lever 25 moves linearly. Therefore, claims 3 and 7 are patentable for these additional reasons as well.

#### **Allowable Subject Matter**

Applicant acknowledges that claims 2 and 4 contain allowable subject matter. Claims 2 and 4 are rewritten into independent form including all limitations of the base claim and any intervening claims, with edits to for clarification. Claims 2 and 4 are in condition for allowance.

**CONCLUSION**

From the foregoing, further and favorable action in the form of a Notice of Allowance is respectfully requested and such action is earnestly solicited.

In the event that there are any questions concerning this amendment, or the application in general, the Examiner is respectfully requested to telephone the undersigned so that prosecution of present application may be expedited.

Respectfully submitted,

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